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Application GRANTED IN PART. The parties' deadline to file their Proposed Civil Case Management Plan and Scheduling Order is ADJOURNED SINE DIE. The parties shall nevertheless submit the joint letter referenced in the Court's Order at ECF No. 10 by no later than 12:00 noon ET on August 12, 2025. Absent further order, the Initial Pretrial Conference will proceed as previously scheduled.

Defendant shall file any motion to dismiss by September 5, 2025. Any Opposition shall be filed by September 19, 2025. Any Reply shall be filed by September 26, 2025. In the event that the Court denies Defendant's motion to dismiss, the parties shall file their proposed Civil Case Management Plan and Scheduling Order within seven (7) days of the Court's Order. **SO ORDERED.** The Clerk of Court is respectfully directed to terminate ECF No. 11.

Via ECF

Honorable Dale E. Ho, U.S.D.J.
United States District Court for the Southern
District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square, Courtroom 905
New York, New York 10007

Dated: August 8, 2025
New York, New York


Dale E. Ho
United States District Judge

Re: *Zidell et al v. Citibank*, No. 1:25-cv-05245-DEH (S.D.N.Y. 2025) – **Joint Request for Adjournment of Initial Case Management Conference**

Dear Judge Ho:

Counsel for defendant Citibank, N.A. (“**Defendant**”), and plaintiffs Michael B. Zidell, Michael B. Zidell 1997 Exempt Lifetime Trust, and Michael B. Zidell 2016 Exempt Lifetime Trust (“**Plaintiff**,” collectively, the “**Parties**”), jointly request, in accordance with Rule 2(e) of Your Honor’s Individual Rules and Practices, seeking an adjournment of **(1)** the August 13 Initial Case Management Conference and **(2)** corresponding August 6 deadline for filing a proposed Civil Case Management Plan and Scheduling Order.

Defendant intends to file a Motion to Dismiss on or before September 5, 2025.¹ The Parties request an adjournment of all deadlines and proceedings until the Court rules on Defendant’s motion. If the Court denies Defendant’s motion, the Parties propose an Initial Case Management Conference within three weeks of such denial.

There have been no previous requests for adjournment. Other than the Initial Case Management Conference, there are no other scheduled appearances before the Court. The requested adjournment does not affect any other dates.

We thank the Court for the Court’s consideration of this application.

¹ On July 22, 2025, Defendant (via email) agreed to accept service. Plaintiff, in turn, (also via email) agreed to extend Defendant’s time to respond to the Complaint, to and including September 5, 2025.

Honorable Dale E. Ho, U.S.D.J.

August 6, 2025

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Respectfully submitted,

HOLLAND & KNIGHT LLP

By: /s/ Brandon L King

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